

REMARKS

These remarks are responsive to the Office Action, dated July 7, 2005. Currently, claims 1-26 are pending in the application with claims 1, 10, 19, 24 and 25 being independent.

In the July 7, 2005 Office Action, Examiner rejected claims 1-21 and 24-26 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,493,110 to Roberts (hereinafter, "Roberts"). This rejection is respectfully traversed.

In the July 7, 2005 Office Action, the Examiner rejected claim 24 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,076,068 to DeLapa (hereinafter, "DeLapa"). This rejection is respectfully traversed.

In the July 7, 2005 Office Action, the Examiner rejected claims 19, 22, 23, 25, and 26 under 35 U.S.C. 103(a) as being unpatentable over a combination of DeLapa and an Official Notice. This rejection is respectfully traversed.

In the July 7, 2005 Office Action, the Examiner rejected claims 1-21, 23, 25, and 26 under 35 U.S.C. 103(a) as being unpatentable over a combination of U.S. Patent No. 5,969,324 to Reber (hereinafter, "Reber") and the Official Notice. This rejection is respectfully traversed.

Further, it appears that the text of the rejection of claims 19, 22, 23, 25, and 26 over a combination of DeLapa and the Office Notice was repeated with respect to claims 19, 22, 25, and 26. (See, pages 6-7 of the Office Action). Thus, the Applicant is treating the rejection of claims 19, 22, 25, and 26 as the same rejection of claims 19, 22, 23, 25, and 26. Hence, this rejection is traversed as well.

35 U.S.C. 102(e)

In the July 7, 2005 Office Action, Examiner recites a pre-AIPA version of 35 U.S.C. 102(e) as a basis for his rejection of claims as anticipated by Roberts. However, the pre-AIPA

version of 35 U.S.C. 102(e) is relevant only when the prior art reference that the Examiner is relying upon to reject Applicant's claims is based on a published international application filed before November 29, 2000 that designated the United States. MPEP §§ 706.02(a), 2136-2136.05. Otherwise, the revised version of 35 U.S.C. 102(e) applies. In this case, Roberts is not based on an international application, thus, the revised version of the 35 U.S.C. 102(e) applies and Roberts is not a proper reference. However, regardless of which 35 U.S.C. 102(e) version is used, Roberts does not anticipate the claims of the present Application, as discussed below. The same analysis applies to DeLapa.

In the Office Action, dated July 7, 2005, the Examiner rejected claim 1 as being anticipated by Roberts. Claim 1 recites a method of printing a receipt which includes an image, comprising downloading transaction information; retrieving an image associated with the transaction information; converting the image into a pixels matrix representation; and printing at least one scan line by selectively printing pixels corresponding to the pixel matrix representation.

Roberts discloses a system and a method for bar code rendering and recognition. Specifically, Roberts describes formatting data into a readable bar code format. The bar code format includes transaction data relating to a coupon, such as redemption amount, expiration or term of offer, identity of coupon holder, etc. (Col. 7, lines 1-15). Roberts generates coupons using a coupon data management program that uses a computer to request coupon data from the centrally located repository, which stores the coupon data and transmits it for printing. (Col. 8, lines 43-48). Roberts' bar code is encoded with user specific information, such as user name and/or other unique identification criteria such as a social security number or online services address (Col. 11, lines 54-57). Also, Roberts' coupons are based on demographic data and historic buying profiles stored in the demographic data file. (Col. 12, lines 44-47).

However, Roberts does not describe downloading transaction information and retrieving an image associated with the transaction information, as recited in claim 1. Instead, Roberts requests certain coupons based on the unique user identification information, which does not relate to the downloaded transaction information recited in claim 1. In fact, Roberts selects coupons from coupon packages 40. (Col. 11, lines 13-25). The coupon packages are generated based on user specific data, such as, coupons selected data, coupons deleted data, coupons printed data and user demographics (e.g., user's name, social security number, etc. (Col. 11, lines 54-57)). Roberts also performs a marketing analysis based on this information to generate coupon packages. (Col. 11, lines 13-25; Col. 12, lines 8-11 and lines 42-49). Clearly, this information does not relate to the downloaded transaction information, recited in claim 1. This is contrary to the recitation of claim 1, where a receipt's image is printed based on a transaction information, rather than pre-stored user identification information. Additionally, Roberts allows users to access an online database in order to obtain coupon data related to an advertised product (Col. 17, lines 52-55). Hence, no transaction information is being downloaded, contrary to the recitation of claim 1.

To print coupons, Roberts requests coupon data from one of the coupon packages and employs its document generating module to print coupons with bar codes. (Col. 7, lines 17-27). Thus, Roberts does not retrieve any images associated with the transaction information, contrary to the recitation of claim 1.

Roberts also does not describe selectively printing pixels corresponding to the pixel matrix representation. Roberts describes bar code image parameters and how the bar code is defined by its width, stretching factor, misalignment factor, print area width, and aliased to

smooth out the edges. (Col. 20, lines 10-59). However, Roberts does not disclose that the scan lines are printed by selectively printing pixels corresponding to the pixel matrix representation.

For the foregoing reasons, Roberts does not disclose every element of claim 1 and claim 1 is not anticipated by Roberts and should be allowed.

Claims 10, 19, 24 and 25 are not anticipated by Roberts for at least the reasons stated above with respect to claim 1. As such, rejection of claims 10, 19, 24, and 25 is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claims 10, 19, 24, and 25.

Claims 2-9, 11-18, 20-21 and 26 depend on independent claims 1, 10, 19, and 25, respectively. As such, claims 2-9, 11-18, 20-21 and 26 are not anticipated by Roberts for at least the reasons stated above with respect to claim 1. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 2-9, 11-18, 20-21 and 26.

In the July 7, 2005 Office Action, Examiner rejected claim 24 as being anticipated by DeLapa. Claim 24 recites an apparatus for receipt generation comprising: a coupon generator coupled to an input port of the apparatus, to receive and process purchase information relating to a transaction, the coupon generator providing at least one index pointer responsive to the purchase information; and, a coupon image database having accessible at least one coupon field for storage and retrieval of a coupon image, the coupon generator incorporating a related coupon image with the purchase information for transmission to an output port.

DeLapa describes a coupon delivery system that requires a user identification or at least one attribute of a household to obtain coupons. (Abstract; Col. 3, lines 22-27; Col. 18, lines 16-35). Further, coupon generation depends on market conditions, such as offer for sale of a particular product from a manufacturer. (Col. 3, lines 38-49). This is in contrast to claim 24,

which recites processing of purchase information relating to a transaction. DeLapa generates coupons based on the above information but not based on a downloaded transaction information. Thus, DeLapa does not describe all elements of claim 24. As such, claim 24 is not anticipated by DeLapa and should be allowed.

35 U.S.C. 103(a)

In the July 7, 2005 Office Action, the Examiner rejected claim 19 as being obvious in light of a combination of DeLapa and Official Notice. The Examiner contends that DeLapa does not disclose converting the image into pixels matrix representation and printing pixels corresponding to pixel matrix. (Office Action, page 4). However, the Examiner takes Official Notice that converting an image into a pixels matrix representation and printing pixels corresponding to the representation are well known in the art of printers. Thus, the Examiner contends that Applicant's claim 19 is obvious in view of DeLapa and the Official Notice. Applicant respectfully disagrees. Additionally, it is not clear as to which references are used to reject claim 19. Specifically, lines 1-2 on page 4 of the Office Action state that the claims are rejected as being obvious in light of a combination of DeLapa and the Official Notice. However, line 20, page 4 to line 2, page 5 of the Office Action refer to Reber. The Applicant respectfully requests clarification of the rejection. Regardless, claim 19 is not rendered obvious in light of DeLapa or Reber in combination with Official Notice.

Claim 19 recites a system for printing a coupon or receipt which includes an image, comprising: a work station capable of connecting to a network; a printer in electrical communication with the work station; and, software loaded on the work station, wherein the software is configured to download image information from a remote location; and, convert an image associate with the image information into a pixel matrix representation; and, wherein the

printer is configured to print at least one scan line by selectively printing pixels corresponding to the pixel matrix representation.

As stated above, DeLapa discloses a coupon delivery system that uses a user identification of a household to print coupons at a kiosk. The coupons are formatted based on the user identification tag and the particular offer (Col. 4, lines 21-27). The DeLapa system assigns specific coupons based on households (Col. 4, lines 45-51). The DeLapa system also assigns household targeted coupons remotely from the kiosks and then formats them at the kiosk as a function of an offer type and at least one offer value. (Col. 4, lines 21-28). However, DeLapa's system does not allow for downloading of images from a remote location and converting the image information into a pixel matrix representation, as recited in claim 19. As stated by Examiner, DeLapa does not disclose converting of the image information (Office Action, page 4). DeLapa also does not disclose downloading of an image associated with the transaction information from a remote location. Instead, DeLapa's system receives coupons from a remote location and then formats them as a function of particular offers, but does not download any images, contrary to the recitation of claim 19. As such, DeLapa does not teach or suggest every element of claim 19, thus, claim 19 should be allowed.

Applicant respectfully disagrees with the Examiner's contention that the claimed invention is obvious in view of DeLapa and the Official Notice. As stated in the response to the January 27, 2005 Office Action, the Official Notice taken by the Examiner, i.e., that the converting of an image into a pixels matrix representation and that the printing of at least one scan line by selectively printing pixels corresponding to the pixel matrix representation were "well known in the art of printers" -- does not provide any suggestion or motivation to modify Sleeper to retrieve and print images, which would be required for the Examiner to establish a

prima facie case of obviousness under 35 U.S.C. § 103 (See, MPEP 2143). The law is clear that an examiner cannot establish a *prima facie* case of obviousness by merely stating that modifications of the prior art would have been within the ordinary skill in the art at the time the claimed invention was made (*Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)). The Examiner must also provide some objective reason to modify the prior art, and the Examiner cannot rely on the level of skill in the art to provide this reason (*Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999)).

Therefore, because DeLapa taken alone or in combination with Official Notice fails to teach or suggest the invention as defined by claim 19. Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

If for any reason the Examiner decides to maintain the 35 U.S.C. § 103 rejection, or to make a new rejection involving Official Notice, Applicant respectfully requests that the Examiner provide a reference in support of the Official Notice, as is Applicant's right under 37 C.F.R. § 1.104(c)(2) (See, MPEP § 2144.03). Unsupported "Official Notice" is insufficient without supporting documentation.

In the January 27, 2005 Office Action, Examiner failed to provide support to the Official Notice. In this Office Action, Examiner is using the same Official Notice to support his obviousness rejection. However, Examiner again failed to provide support for the Notice. This is improper and contrary to the requirements of the MPEP. Thus, the Applicant respectfully petitions for withdrawal of all rejections that use Official Notice to reject claims of the present Application, until adequate support is provided by Examiner.

Examiner's citation of Reber on pages 4 and 5 of the Office Action does not support the Official Notice. Reber teaches an accounting system that includes a point of sale terminal to print

a transaction receipt having a readable bar code. (Col. 2, lines 41-49). Reber system also includes a printer for printing a transaction receipt. However, Reber does not teach or suggest converting image information into a pixel matrix representation. Further, as will be discussed below Reber does not cure the deficiencies of DeLapa or the Official Notice.

Claim 25 is not rendered obvious by the combination of the DeLapa and the Official Notice for at least the reasons stated above with respect to claim 19. As such, Examiner's rejection with respect to claim 25 is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claim 25.

Claims 22, 23, and 26 depend on independent claims 19 and 25, respectively. As such, claims 22, 23, and 26 are not rendered obvious in light of the combination of DeLapa and Official Notice for at least the reasons stated above with respect to claim 19. As such, this rejection is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claims 22, 23, and 26.

In the July 7, 2005 Office Action, Examiner rejected claim 1 as being unpatentable over Reber in view of Official Notice.

In the Office Action, Examiner stated that Reber discloses all elements of claim 1 except converting the image into a pixels matrix representation, with respect to which the Examiner takes the above Official Notice.

In addition to failing to disclose the converting step of claim 1, Reber does not teach or suggest retrieving an image associated with the transaction information and selectively printing pixels corresponding to the pixel matrix representation. Instead, Reber teaches a point-of-sale system for reading bar coded receipts. (Col. 2, lines 33-50). Reber's system also includes a printer for printing receipts containing the bar code, which upon reading can provide information

about the transaction. (Col. 6, lines 26-35). Upon reading the bar code, a transaction information about a particular transaction can be received from a resource or a destination. (Col. 6, lines 46-54). However, Reber's system does not retrieve any images that are associated with the transaction information, contrary to the recitation of claim 1. Reber's system does not provide any additional imaging or data, except for a machine readable bar code. As such, in addition to not being able to convert an image into a pixel matrix representation, Reber does not teach or suggest retrieving the image associated with the transaction information, as recited in claim 1. Reber also does not disclose how images are obtained or downloaded. Reber states that "the transaction data is communicated by the transceiver 42 to the computer 44 using ... the electronic network." (Col. 6, lines 1-3). The transaction data includes parties involved in the transaction, items, charges, credits, etc. but does not include any images (Col. 6, lines 3-15). Subsequently to the receipt of the transaction data, Reber encodes it using bar codes. (Col. 7, lines 1-6). Reber does not state that images are also communicated to the computer, contrary to the recitation of claim 1.

Reber only states that transaction receipts can be printed on paper, cardboard, or plastic. (Col. 7, lines 18-27). However, it does not state whether image pixels are selectively printed corresponding to the pixel matrix representation, as recited in claim 1. Thus, Reber does not teach or suggest every element of claim 1.

With respect to the Official Notice, the Examiner is referred above for the discussion of inapplicability of the Notice in supporting this rejection and Applicant requests that any such Notice be supported by actual references. As such, the combination of Reber and Official Notice does not render claim 1 obvious. Hence, this rejection is respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claim 1.

Claims 10, 19, and 25 are not rendered obvious by the combination of Reber and Official Notice for at least the reasons stated above with respect to claim 1. As such, the rejections of claims 10, 19, and 25 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claims 10, 19, and 25.

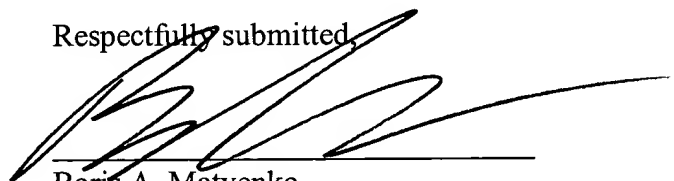
Claims 2-9, 11-18, 20-21, and 26 depend on the independent claims 1, 10, 19, and 25, respectively. As such, claims 2-9, 11-18, 20-21, and 26 are not rendered obvious by the combination of Reber and Official Notice for at least the reasons stated above with respect to claim 1. Thus, the rejections of claims 2-9, 11-18, 20-21, and 26 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejection of claims 2-9, 11-18, 20-21, and 26.

No new matter has been added.

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

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Respectfully submitted,



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